

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

MARCH 1, 2005

COUNTY COMMISSIONERS

Jennifer Hill, Chairman

Catherine C. Hanson, Vice Chairman

Robert A. Pool, District #2

Debbie Stivender, District #3

Welton G. Cadwell, District #5

Bill Neron, County Manager

Sanford A. Minkoff, County Attorney

James C. Watkins, Clerk to the Board

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

March 1, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

III. CLERK OF COURT'S CONSENT AGENDA

Tab 1 Approval of Clerk of Courts' Consent Agenda (Items 1 through 12):

1. Contractor Bonds – New, Cancellation, and Riders – Approve.
2. Satisfaction and Release of Fines, as follows:

Order of Fine (2004080125), in the amount of \$1,000.00, dated January 27, 2005, Medallion Convenience Stores, Inc. and Tweedle Oil Company, Inc. The Judgment-Creditor acknowledges receipt of \$1,000.00 as payment in full of said indebtedness, and hereby acknowledges satisfaction of said Judgment, and directs that said Judgment be canceled of record.

Order of Fine (2004080132), in the amount of \$1,000.00, dated January 27, 2005, Medallion Development Corporation. The Judgment-Creditor acknowledges receipt of \$1,000.00 as payment in full of said indebtedness, and hereby acknowledges satisfaction of said Judgment, and directs that said Judgment be canceled of record – Approve.

3. List of warrants paid prior to this meeting, pursuant to Chapter 136 of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.

4. Monthly distribution of Revenue Traffic/Criminal Cases, for the month ending December 31, 2004, in the amount of \$102,795.23. Same period, last year: \$184,002.74; and for the month ending January 31, 2005, in the amount of \$137,812.24. Same period, last year: \$191,974.43 – Acknowledge receipt.
5. Property placed on the Lands Available List. Lake County has until April 11, 2005, to purchase property from the Lands Available List before it is available to the public – Acknowledge receipt.
6. Ordinance Number 497-M, from the City of Clermont, annexing a vacant parcel of land into the City limits of the City of Clermont. Passed and Ordained the 11th day of January 2005, by the City Council of the City of Clermont, Florida - Acknowledge receipt.
7. Meeting Notice from the Southwest Florida Water Management District – Agenda for Governing board Meeting scheduled for January 25-26, 2005, at 9:00 a.m., at the Bartow Service Office, located at 170 Century boulevard, Bartow, Florida 33830-7700; and a set of approved Minutes from the Governing board Meeting that was held on November 16, 2004, in Arcadia, Florida – Acknowledge receipt.
8. Before the Florida Public Service Commission, in re: Application of Raintree Utilities, Inc., for authority to transfer water system and to provide service, and for amendment of Certificate Number 539-W, to add territory in Lake County, Florida – Docket Number 050028-WU – Acknowledge receipt.
9. Notice is hereby given on the 21st day of January 2005, of the application of Raintree Utilities, Inc., for authority to transfer a water system providing water service to the Silver Oaks Subdivision, in Lake County, Florida, to the Applicant; and for amendment of Water Certificate Number 539-W, to add territory to its certificated area in Lake County, Florida.

Objections to the Application must be made in writing and filed with the Director, Division of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 600 S. North Lake Boulevard, Suite 160, Altamonte Springs, Florida 32701, within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity – Acknowledge receipt.

10. Before the Public Service Commission, in re: Application for certificates to provide water and wastewater service in Lake County, by Hidden Valley SPE LLC d/b/a Orange Lake; Docket Number 041141-WS, Order Number PSC-05-0059-CO-WS, issued January 18, 2005.

Consummating Order by the Commission: By Order Number PSC-04-1270-PAA-WS, issued December 22, 2004, and the Commission proposed to take certain action. Order has become effective and final as of January 18, 2005 – Acknowledge receipt.

11. Before the Public Service Commission, in re: Docket Number 050028-WU, Application for Authority to Charge for Water Service in Lake County, Florida, by Raintree Utilities, Inc., dated January 21, 2005. Notice is hereby given, on January 11, 2005, that Raintree Utilities, Inc. (Utility) filed an application with the Florida Public Service Commission. The Utility has entered into an agreement with RTG Properties, the owner of the water system serving the Silver Oaks Subdivision, for the transfer of the water system to the Utility. The Utility has requested the Commission's approval to charge the 39 customers located in the Silver Oaks Subdivision, in Lake County, Florida, the Commission approved rates and charges for water service provided by the Utility. Comments regarding the Utility, the rates that the Utility is requesting authorization to charge, or requests to be placed on the mailing list for this case, may be directed to: Director, Division of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 – Acknowledge receipt.
12. Letter from St. Johns River Water Management District to Lake County and Interested Persons, and a copy of the attachment that will appear in the newspaper, relating to Water Oak Utilities, Application Number 95654 – Acknowledge receipt.

RECOMMENDATION: Approval

IV. COUNTY MANAGER'S CONSENT AGENDA (Tabs 2 through 20)

A. Budget

Tab 2

1. Budget transfer – County Library System Fund, Department of Community Services, Library Services Division, in the amount of \$40,000.00 is requested. Transfer \$40,000.00 (\$5,000.00 from Books, Publications and Dues; \$10,000.00 from Machinery & Equipment; \$5,000.00 from Books, Publications and Library Materials; and \$20,000.00 from Library Materials Not Inventoried) to Contractual Services. Additional funds are needed in Contractual Services for the consultant fee for the Long Range Plan of Services for Libraries, and for the contract with Unique Management Services to assist with the recovery of library overdue items and fines, which was approved by the Board of County Commissioners on February 1, 2005. Funds available in the above listed line items.

RECOMMENDATION: Approval

2. Budget transfer – Resort/Development Tax Fund, Department of Economic Development/Tourism, in the amount of \$250,000.00 is requested. Transfer \$250,000.00 to Promotions. Dollars budgeted for television and radio have exceeded projected budgets. In addition, the Department has been increasing the advertising of more events and sponsoring more events to promote Lake County. Additional monies are needed in Promotions to be able to continue this increased advertising and promotion. Funds available in Special Reserve.

RECOMMENDATION: Approval

B. Community Services

Tab 3

Approval to submit grant application for Library Services and Technology Act Grant for the purchase of Radio Frequency Identification (RFID) Patron self-checkout stations.

RECOMMENDATION: Approval

Tab 4 Approval to submit grant application and to authorize signature on partnership agreement for Library Services and Technology Act Grant for the continuation of the Lake County Library System Family Literacy Program.

RECOMMENDATION: Approval

Tab 5 Approval of Lake County Policy regarding the Library Impact Fee Application and Distribution Process, and approval to establish March 1 of each year, except for 2005, as the project application deadline and to establish an April 1 application deadline for 2005.

RECOMMENDATION: Approval

Tab 6 Approval for county staff to assist with and participate in fundraising for the new Citrus Ridge Library and Cooper Memorial Library capital building projects and assistance from County Commissioners in fundraising efforts where appropriate.

RECOMMENDATION: Approval

C. Environmental Services

Tab 7 Approval to return \$5,000.00 to Lake County Water Authority for the proposed Rainwater Capture System and retain authorization to pursue completion of the project using previously allocated Board funds.

RECOMMENDATION: Approval

D. Growth Management

Tab 8 Approval and execution of a Release of Fine for property owned by Kathleen H. Fuchs and Marjorie L. Summers.

RECOMMENDATION: Approval

Tab 9 Approval and execution of a Release of Fine recorded in error for property owned by Raymond Erjavic.

RECOMMENDATION: Approval

E. Procurement Services

Tab 10 Approval to award the contract for Emergency Management Consulting Services on the Homeland Security Grant Award Program for the Public Safety Department to General Physics Corporation for \$98,500.00 in accordance with Florida State Contract Number 973-001-00-1.

RECOMMENDATION: Approval

F. Public Safety

Tab 11 Approval of a Resolution setting the annual wire line E911 Fee for Fiscal Year 2005-2006 at fifty cents (\$.50) pursuant to requirements of Florida Statute 365.171.

RECOMMENDATION: Approval

G. Public Works

Tab 12 Approval and execution of Agreement with the City of Fruitland Park for portions of Picciola Road Number 5710 and Picciola Cutoff Number 5509 adjacent to the city limits.

RECOMMENDATION: Approval

Tab 13 Approval to accept one Deed for Road Right of Way; one Deed for Trail Improvements; two Non-Exclusive Easement Deeds; three Statutory Quitclaim Deeds; and 11 Statutory Warranty Deeds.

RECOMMENDATION: Approval

Tab 14 Approval and authorization to award Number 3168 Duda Road Intersection Improvements Project Number 2005-04, Bid Number 05-054, to Professional Dirt Service, and to encumber and expend funds in the amount of \$537,616.00 from the Road Impact Fee Fund. Commission District 3 – Benefit District 2.

RECOMMENDATION: Approval

Tab 15 Approval and authorization to award CR-46A Widening & Resurfacing Project Number 2004-09, Bid Number 05-055, to Art Walker Construction, and to encumber and expend funds in the amount of \$2,168,935.40 from the Infrastructure Sales Tax Fund. Commission District 4.

RECOMMENDATION: Approval

Tab 16 Approval of Supplemental Agreement Number 3 in the amount of \$74,683.50 related to the South Clermont Connector Project.

RECOMMENDATION: Approval

Tab 17 Approval and authorization to accept the final plat for Bella Collina East and all areas dedicated to the public as shown on the Bella Collina East final plat; accept a Performance Bond in the amount of \$1,880,388.00; and execute a Developer's Agreement for Construction of Improvements between Lake County and Ginn-Pine Island GP, LLC. Bella Collina East consists of 84 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 18 Approval and authorization to accept the final plat for Bella Collina West and all areas dedicated to the public as shown on the Bella Collina West final plat; accept a Performance Bond in the amount of \$13,769,113.00; and execute a Developer's Agreement for Construction of Improvements between Lake County and Ginn-Pine Island GP, LLC. Bella Collina West consists of 328 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 19 Adoption and execution of the Resolution facilitating the South Lake Trail/Lake Minneola Trail Phase II Construction Project; execution of the Local Agency Program Agreement with the Florida Department of Transportation for the South Lake Trail/Lake Minneola Trail Phase II Construction Project (FDOT FPN 241438-1-58-01); and authorization to advertise for bids for the South Lake Trail/Lake Minneola Trail Phase II Project Number 2005-05 at an estimated cost of \$2,014,371.65. Through the Agreement, the Florida Department of Transportation will fund \$1,613,217.00 for construction and Renewal Sales Tax Capital Projects Fund will fund the remaining \$401,154.65 – Commission District 2.

RECOMMENDATION: Approval

Tab 20 Adoption and authorization for the Chairman and County Attorney to sign the Grant Agreement with the City of Clermont, upon their approval and return, relating to the contribution of Infrastructure Sales Tax Funds for Community Recreation Projects.

RECOMMENDATION: Approval

V. PERSONAL APPEARANCES/PRESENTATION/PUBLIC HEARING

A. PERSONAL APPEARANCES – 9:00 A.M. or as Soon Thereafter

1. EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Truman E. McCall, II, Equipment Operator II, Public Works/Road Operations/Maintenance Area III

Neal J. Sandy, Senior Building Inspector, Growth Management/Building Services/South Lake Annex

William C. Cork, Jr., Firefighter/EMT, Public Safety/Fire and Rescue

Susan F. Goldfuss, Staff Assistant, Public Works/Lake-Sumter Metropolitan Planning Office

Noah W. Hollis, Jr., Firefighter/EMT, Public Safety/Fire and Rescue

Michael A. Quick, Firefighter/Paramedic, Public Safety/Fire and Rescue

Presentation of Award to Employee with Twenty Years of Service

Dale A. King, Energy Maintenance Technician, Facilities Development & Management/Facilities Management/Energy Management

Presentation of Award to Employee with Twenty Five Years of Service

Teresa E. Dunham, Permitting Specialist, Growth Management/Building Services/Main Office

2. BOARD/COMMITTEE PRESENTATIONS

CERTIFICATES

Affordable Housing Advisory Committee

Mary Walker for service from 2001-2005

Citizen Transportation Advisory Committee

Lorraine Johnson for service from 1998-2004

Dr. Marcella Vogelmann-Peper for service from 1998-2004

Jan Miller for service from 2000-2004

Tom Winn for service from 1998-2004

Desmond Byrne for service from 1998-2004

Elmer Webb for service from 1998-2004

Lee Hokr for service from 1998-2004

Susana Gibson for service from 1998-2004

Gerald Wayne for service from 1999-2004

Thomas Reid for service from 1998-2004

Gordon Warner for service from 2002-2004

Elder Affairs Coordinating Council

Nancy Smith for service from 2003-2005

B. PRESENTATION – 9:00 A.M. or as Soon Thereafter

1. PRESENTATION

PRESENTATION: March of Dimes by Tui Frye, March of Dimes Representative and Gus Grizzard, Guest

C. PUBLIC HEARING - 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARING

Tab 21

PUBLIC HEARING: Ordinance amending Section 10.02.02, Lake County Code, Appendix E, Land Development Regulations, entitled Temporary Housing During Construction

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS (Tab 22 through 23)

A. Public Works

Tab 22 Review and approval of the draft Parks and Recreation Master Plan.

RECOMMENDATION: Approval

Tab 23 Approval of FCT request for more funding for the Ferndale Preserve project. (*To be distributed under separate cover*)

RECOMMENDATION: Approval

VII. OTHER BUSINESS

VIII. REPORTS

A. County Attorney

B. County Manager

C. Commissioner Hill – Chairman and District #1

D. Commissioner Pool – District #2

E. Commissioner Stivender – District #3 (Tab 24)

Tab 24 Approval of Resolution supporting Florida Senate Bill 820 designating a portion of State Road 50 in Lake County between the community of Stuckey and the Mascotte city limits as the "Eric Ramirez Highway."

F. Commissioner Hanson – District #4

G. Commissioner Cadwell – District #5

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Public Works at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

MARCH 15, 2005

9:00 A.M. Regular Meeting

9:00 A.M. PUBLIC HEARING – Special Assessment 94 – Forest Drive
or as Soon
Thereafter

9:00 A.M. PRESENTATION: Report on Financial Condition of the Solid Waste Fund (*Rescheduled from*
or as Soon *February 8, 2005 BCC Meeting*)
Thereafter

10:00 A.M. PRESENTATION: Update on the Orlando-Orange County Expressway Authority (OOCEA)
or as Soon by Mike Snyder, P.E., Executive Director and Allan Keen, Chairman of the OOCEA Board
Thereafter

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TENTATIVE AGENDA

MARCH 29, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

APRIL 5, 2005

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

APRIL 12, 2005

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

APRIL 19, 2005

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

APRIL 26, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

MAY 3, 2005

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

MAY 10, 2005

9:00 A.M. Regular Meeting/Tentative